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CIVIL RIGHTS COMPLAINT US DISTRICT COURT E.D.N.Y.  
42 U.S.C. § 1983

★ APR 16 2014 ★

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

Michael Watson  
Full name of plaintiff/prisoner ID#

Plaintiff,

JURY TRIAL DEMAND  
YES ☒ NO ☐

-against-

William Zerillo, Jason Maffia  
Sharon Macintosh, Jean Raphael  
Yvon Dupont, U.S. Marshall Services, The Georgetown

Enter full names of defendants

[Make sure those listed above are  
identical to those listed in Part III.]

Defendants.

CV 14

2591

AMON, CH.J.

SCANLON, M.J.

I. Previous Lawsuits:

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment? Yes ( ) No (☒)
- B. If your answer to A is yes, describe each lawsuit in the space below (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiffs: \_\_\_\_\_

Defendants: \_\_\_\_\_

2. Court (if federal court, name the district;  
if state court, name the county)

3. Docket Number: \_\_\_\_\_

4. Name of the Judge to whom case was assigned: \_\_\_\_\_

5. Disposition: (for example: Was the case dismissed? Was it appealed? Is it still pending?)  
\_\_\_\_\_

6. Approximate date of filing lawsuit: \_\_\_\_\_

7. Approximate date of disposition: \_\_\_\_\_

II. Place of Present Confinement: M.D.C. Brooklyn

A. Is there a prisoner grievance procedure in this institution? Yes (☒) No ( )

B. Did you present the facts relating to your complaint in the prisoner grievance procedure? Yes ( ) No (☒)

C. If your answer is YES,

1. What steps did you take? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. What was the result? \_\_\_\_\_  
\_\_\_\_\_

D. If your answer is NO, explain why not This is not the facility  
I was at that I am filing this Complaint for

E. If there is no prison grievance procedure in the institution, did you complain to prison authorities? Yes ( ) No ( )

F. If your answer is YES,

1. What steps did you take? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. What was the result? \_\_\_\_\_  
\_\_\_\_\_

III. Parties:

(In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of plaintiff Michael Watson # 76208-053

Address M.D.C. Brooklyn P.O. Box 329002 Bklyn, N.Y. 11232

(In item B below, place the full name and address of each defendant)

B. List all defendants' names and the addresses at which each defendant may be served. Plaintiff must provide the address for each defendant named.

Defendant No. 1

William Zerillo (warden)  
Geo Correctional Facility  
182-22 150<sup>th</sup> AVE, Queens, N.Y. 11413

Defendant No. 2

Jean Raphael Von Dupaux (M.D.)  
Geo Correctional Facility  
182-22 150<sup>th</sup> AVE Queens, N.Y. 11413

Defendant No. 3

Jason Maffia (Medical Director)  
Geo Correctional Facility  
182-22 150<sup>th</sup> AVE Queens, N.Y. 11413

Defendant No. 4

Sharon Macintosh (Medical Director)  
Geo Correctional Facility  
182-22 150<sup>th</sup> AVE Queens, N.Y. 11413

Defendant No. 5

United States Marshall Services

Defendant NO. 6

THE GEO Group INC.

[Make sure that the defendants listed above are identical to those listed in the caption on page 1].

IV. Statement of Claim:

(State briefly and concisely, the facts of your case. Include the date(s) of the event(s) alleged as well as the location where the events occurred. Include the names of each defendant and state how each person named was involved in the event you are claiming violated your rights. You need not give any legal arguments or cite to cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. You may use additional 8 1/2 by 11 sheets of paper as necessary.)

(SEE Attachments)

IV. A If you are claiming injuries as a result of the events you are complaining about, describe your injuries and state what medical treatment you required. Was medical treatment received?

The injuries I am complaining about is a herniated disk and Swelling of the testicles and Cruciating pain Doctors at the Hospital notified defendants that I need therapy injections and laser surgery. Also staff at the hospital stated that treatment of the herniated disk should resolve the testicle matter

V. Relief:

State what relief you are seeking if you prevail on your complaint.

Plaintiff Seeks Compensatory damages in the amount  
\$1.5 Million Dollars to be evenly distributed by each defendant  
and punitive damages of \$1.5 Million Dollars to be distributed  
evenly by the defendants

I declare under penalty of perjury that on April 12, 2014, I delivered this  
(Date)  
complaint to prison authorities to be mailed to the United States District Court for the Eastern  
District of New York.

Signed this 1<sup>st</sup> day of April, 2014. I declare under penalty of  
perjury that the foregoing is true and correct.

Michael Wilson

Signature of Plaintiff

Metropolitan Detention Center

Name of Prison Facility

P.O. Box 329002

Brooklyn, N.Y. 11232

Address

76208-053

Prisoner ID#

## RELEVANT FACTS

On July 10, 2010 at approximately 1:10 p.m. plaintiff injured his lower back playing basket ball, He was not Seen by medical until 3:00 p.m. almost two hours after reporting the injury. He was given Typrofen and an Ice pack and was told to return to medical if the pain got worse.

On July 28, 2010 plaintiff submitted a request to See a doctor due to his back pain and also that his right testicle was also hurting in his request he stated that this was his third request to be seen. Plaintiff was told that he would be Scheduled to See a doctor.

On August 27, 2010 The plaintiff was taken to Jamaica Hospital and had an exam on the L-Spine and the results were that there were degenerative changes.

On September 30, 2010 plaintiff was again taken to Jamaica Hospital, This time he had a Testicular Ultra sound which the results showed a  $0.3 \times 0.2 \times 0.4$  cm Cyst within the left epididymis which is nonspecific but may be Secondary to a spermatocele.

On October 4, 2010 Plaintiff again Submitted a Complaint asking why is nothing being done about the Fluid that's traveling to his testicles, He received a response stating his Complaint was Sent to the Medical Doctor.

On January 10, 2011 Plaintiff submitted a Complaint notifying medical that his testicles were hurting very bad, and needed to be seen. He received a response stating he was seen by an outside urologist on December 30, 2010 who recommended Scrotal Support and for plaintiff to come to medical for the Support (As it is seen that when plaintiff was seen by the urologist on December 30, 2010 and recommended Scrotal Support medical staff failed to give plaintiff this support)

On January 19, 2011 Plaintiff had another exam on his Lumbar spine and it showed The vertebral bodies appear of normal weight. There is Slightly narrowing at the L4-L5 disc.

On March 1, 2011 plaintiff submitted yet another Complaint asking to see a doctor because his pain and injuries were not getting better. He received a response stating he would be seen on March 8, 2011 but this never happened.

On April 26, 2011 plaintiff went to Jamaica Hospital for an MRI on his Lumbar spine which showed Disk and Facet Changes at the L4-L5 and levels contributing to Neural Foraminal Narrowing and Stenosis (This shows that plaintiff's condition is getting worse from the denial of proper medical care)

In a report from Jamaica Hospital on March 29, 2012 medical Doctor stated there was Herniation of the spine associated with right testicle discomfort and stated treatment of disc herniation/stenosis should resolve testicular issue.

This Shows that the Medical Staff at Geo knew of this Herniation of the spine along with Stenosis and that this also was the Cause of Plaintiff's Testicle pain and Swolleness.

Jamaica Hospital Even recommended Therapy, Injections or laser surgery would Cure this problem instead Medical Staff failed to do any of these things to Cure Plaintiff instead he was allowed to go through pain and Suffering for almost three years without anything being done not only was this denial of Medical Care it was inadequate medical Care, deliberate indifference and this Violated Plaintiff's Constitutional Right of the Eighth Amendment.

Plaintiff is Suing defendants in their Individually and in their official Capacities



## CAUSE OF ACTION

William Zerillo (warden)

MR. Zerillo is the warden of GEO and he was well aware of the inadequate medical care Plaintiff was receiving. Plaintiff filed many Grievances pertaining to this inadequate medical care and MR. Zerillo in fact answered a Grievance and did nothing to investigate or correct the wrong in which he had the power to do so as he was the warden of the facility.

Jean Raphael Xim Dupoux (Medical Doctor)

He is the Medical Doctor at the institution and knew of and the seriousness of Plaintiff's injuries as he is the one who gets the records of results from the exams Plaintiff received at Jamaica Hospital and was well aware of the Hospital's recommendations of therapy, injections, Laser Surgery, Scrotal Support and this doctor failed to provide Plaintiff with these remedies and recommendations.

Jason Maffia (Medical Director)

MR. Maffia was the Medical Director and was the Head of the Medical Staff and he was well aware of the Plaintiff's situation and deprivation of medical care.

The Geo Group Inc.

The Geo Group is responsible for the medical staff and welfare of all inmates at the institution.

Sharon Macintosh (Medical Director)

Mrs. Macintosh was the Medical Director and was well aware of plaintiff's Complaints and had the authority to remedy this situation and she even signed some of the Grievances that plaintiff filed which shows she was well aware of the inadequate medical plaintiff was receiving.

United States Marshall's.

United States Marshalls were responsible for approval of outside services of Medical Care of all inmates and the failure for the Marshalls for not approving plaintiff's outside services caused plaintiff's injuries to become worse and plaintiff suffered from this with massive pain in his back and testicles and is still having these problems still to this day.